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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/675,692	09/29/2000	Ashraf A. Michail	MS1-676US	1488
22801	7590	08/12/2004	EXAMINER	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			CAMPBELL, JOSHUA D	
			ART UNIT	PAPER NUMBER
			2179	

DATE MAILED: 08/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/675,692

Applicant(s)

MICHAIL ET AL.

Examiner

Joshua D Campbell

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*[Signature]*

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 12-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 12-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This action is responsive to communications: Amendment filed on 05/04/2004.
2. Claims 1-10 and 12-27 are pending in this case. Claims 1, 10, 17, and 22 are independent claims. Claim 11 has been cancelled. Claims 1, 5, 10, 17, and 22 have been amended.
3. The rejection of claims 1-9 under U.S.C. 102(a) as being anticipated by Neibauer has been withdrawn in view of amendment.

### ***Claim Rejections - 35 USC § 103***

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

**Claims 1-10 and 12-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neibauer (The ABCs of WordPerfect 8, published in 1997) in view of Prinzing (US Patent Number 6,480,206, filed on February 24, 1998).**

5. **Regarding independent claim 1**, Neibauer discloses a method in which an interface to operate a function (extension) used to highlight sections of text (Page 89-90, "Highlighting Text" of Neibauer). Neibauer does not disclose a method in which the non-visual and visual aspects of the highlight are determined by separate extensions. However, Prinzing discloses a method in which extensions (style objects) of an editor generates visual objects (visual aspects) and associates them with objects in a

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document in a text editor, which controls the non-visual aspects (column 2, line 55-column 4, line 14 of Prinzing). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Neibauer with the methods of Prinzing because it would have allowed for the addition of functionality to an editor without significant modifications to original code.

6. **Regarding dependent claim 2**, Neibauer discloses a method in which the interface contains options to change the color and shading of the highlighting (style) (Page 89-90, "Highlighting Text" of Neibauer).

7. **Regarding dependent claim 3**, Neibauer discloses a method in which text may be highlighted by selecting a point at the beginning of the section to be highlighted and then deselecting at the end of the section to be highlighted, at which point it is highlighted (Page 89-90, "Highlighting Text" of Neibauer). This act temporarily highlights the text in a block providing a user with a view of the start and end points (two display pointers) (Page 29-30, "Selecting Text" of Neibauer).

8. **Regarding dependent claim 4**, Neibauer discloses a method in which text may be highlighted by selecting a point at the beginning of the section to be highlighted and then deselecting at the end of the section to be highlighted, at which point it is highlighted (Page 89-90, "Highlighting Text" of Neibauer). This act temporarily highlights the text in a block providing a user with a view of the start and end points (two display pointers) (Page 29-30, "Selecting Text" of Neibauer). Neibauer also discloses a method in which the interface contains options to change the color and shading of the highlighting (style) (Page 89-90, "Highlighting Text" of Neibauer).

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9. **Regarding dependent claim 5**, Neibauer discloses a method in which the user may redefine the text contained within a highlight segment (Page 89-90, "Highlighting Text" of Neibauer). Neibauer does not disclose a method in which different extensions may cause different visual aspects. However, Prinzing discloses a method in which the styles objects (extensions) can cause different visual objects (column 1, line 52-column 2, line 9 of Prinzing). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Neibauer with the methods of Prinzing because it would have allowed for the addition of functionality to an editor without significant modifications to original code.

10. **Regarding dependent claim 6**, Neibauer discloses a method in which the user may redefine the color and shading (style) within a highlight segment (Page 89-90, "Highlighting Text" of Neibauer).

11. **Regarding dependent claim 7**, Neibauer discloses a method in which the user may remove highlighting from a segment (Page 89-90, "Highlighting Text" of Neibauer).

12. **Regarding dependent claim 8**, Neibauer discloses a method in which an interface contains options to change (control) the color and shading of the highlighting (style) (Page 89-90, "Highlighting Text" of Neibauer).

13. **Regarding dependent claim 9**, Neibauer discloses a method in which an interface contains options to change (control) the color and shading of the highlighting (style), allowing the user to change one segment, instead of all of them (Page 89-90, "Highlighting Text" of Neibauer).

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14. **Regarding independent claim 10**, Neibauer discloses a method in which an interface to operate a function used to highlight sections of text (Page 89-90, "Highlighting Text" of Neibauer). Neibauer does not disclose a method in which a designer is used to receive the parameter or return the values to the designer regarding the state of the highlighted segment. Neibauer does not disclose a method in which an extension of an extensible editor is used to perform this action. However, Prinzing discloses a development kit can be used to modularly apply style changes (highlights) using view objects (extensions) received from an interface to a document in a text editor (column 3, lines 17-53 of Prinzing). The interface can determine and edit styles of any text, so it is inherent that values based on the state of all text, including highlighted segments are communicated between the development kit and the text editor (column 3, lines 6-16 of Prinzing). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Neibauer and Prinzing because it would have allowed the addition of new functionality without rewriting the entire editor.

15. **Regarding dependent claims 12-16**, the claims are the medium correlated with storing the method of claims 3-7. Thus, the claims are rejected along the same rationale as claims 3-7

16. **Regarding independent claim 17**, Neibauer discloses a method in which an interface to operate a function used to highlight sections of text when requested (Page 89-90, "Highlighting Text" of Neibauer). Neibauer does not disclose a method in which an extension of an extensible editor is used to perform this action. However, Prinzing

discloses a development kit can be used to modularly apply style changes (highlights) using view objects (extensions) received from an interface to a document in a text editor (column 3, lines 17-53 of Prinzing). The interface can determine and edit styles of any text, so it is inherent that values based on the state of all text, including highlighted segments are communicated between the development kit and the text editor (column 3, lines 6-16 of Prinzing). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Neibauer and Prinzing because it would have allowed the addition of new functionality without rewriting the entire editor.

17. **Regarding dependent claim 18**, Neibauer discloses a method in which an interface contains options to change (control) the color and shading of the highlighting (style) (Page 89-90, "Highlighting Text" of Neibauer). Neibauer does not disclose a method in which an extension of an extensible editor is used to perform this action. However, Prinzing discloses a development kit can be used to modularly (extension) apply style changes (highlights) received from an interface to a document in a text editor (column 3, lines 17-53 of Prinzing). The interface can determine and edit (control) styles of any text, so it is inherent that values based on the state of all text, including highlighted segments are communicated between the development kit and the text editor (column 3, lines 6-16 of Prinzing). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Neibauer and Prinzing because it would have allowed the addition of new functionality without rewriting the entire editor.

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18. **Regarding dependent claim 19-21**, the claims are the medium correlated with storing the method of claims 2-7. Thus, the claims are rejected along the same rationale as claims 2-7

19. **Regarding independent claim 22**, Neibauer discloses a method in which an interface to operate a function (extension) used to highlight sections of text (Page 89-90, "Highlighting Text" of Neibauer). Neibauer does not disclose a method in which a designer interface is used to transfer data between designers and the editor or an event routing controller. However, Prinzing discloses a development kit can be used to modularly apply style changes (highlights) using view objects (designers) received from an interface to text elements (content) in a document in a text editor, allowing text elements to remain unchanged (column 3, lines 17-53 of Prinzing). Prinzing discloses a method in which a development kit routes the editing actions (events), which includes transfer of data, to the different view objects to properly format the text elements (column 4, lines 15-44 of Prinzing). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Neibauer and Prinzing because it would have allowed the addition of new functionality without rewriting the entire editor.

20. **Regarding dependent claim 23**, Neibauer discloses a method in which an interface contains options to change (control) the color and shading of the highlighting (style) (Page 89-90, "Highlighting Text" of Neibauer). Neibauer does not disclose a method in which an extension of an extensible editor is used to perform this action. However, Prinzing discloses a development kit (designer) can be used to modularly



apply style changes (highlights) received from an interface to a document in a text editor (column 3, lines 17-53 of Prinzing). The interface can determine and edit (control) styles of any text, so it is inherent that values based on the state of all text, including highlighted segments are communicated between the development kit and the text editor (column 3, lines 6-16 of Prinzing). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Neibauer and Prinzing because it would have allowed the addition of new functionality without rewriting the entire editor.

21. **Regarding dependent claims 24 and 26**, the claims are the medium correlated with storing the method of claims 2-7. Thus, the claims are rejected along the same rationale as claims 2-7

22. **Regarding dependent claim 25**, Neibauer discloses a method in which the user may redefine the text contained within a highlight segment and the style of the highlight segment (Page 89-90, "Highlighting Text" of Neibauer).

23. **Regarding dependent claim 27**, Neibauer discloses a method in which an interface to operate a function (extension) used to highlight sections of text (Page 89-90, "Highlighting Text" of Neibauer). Neibauer does not disclose a method in which a designer interface is used to transfer data between designers and the editor or an event routing controller. However, Prinzing discloses a development kit can be used to modularly apply style changes (highlights) using view objects (designers) received from an interface to text elements (content) in a document in a text editor, allowing text elements to remain unchanged (column 3, lines 17-53 of Prinzing). Prinzing discloses a

method in which a development kit routes the editing actions (events), which includes transfer of data, to the different view objects to properly format the text elements, when added formatting is removed it is returned to it's original formatting (column 4, lines 15-44 of Prinzing). It would have been inherent that type checking occurs to make sure the text objects are still viewable by the original editor that created them. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Neibauer and Prinzing because it would have allowed the addition of new functionality without rewriting the entire editor.

### ***Response to Arguments***

24. Applicant's arguments with respect to claims 1-9 have been considered but are moot in view of the new ground(s) of rejection.

25. Applicant's arguments filed 5/4/2004 have been fully considered but they are not persuasive.

Regarding the arguments on pages 11-12, regarding claims 11-16; Prinzing shows that formatting including color (i.e. highlighting) can be applied using an extension of an editor, as disclosed in the rejection. Prinzing discloses that different parameters are used to change the format of different sections (characters, words, paragraphs, etc.) (column 1, line 52-column 2, line 10 of Prinzing). The examiner agrees that Prinzing discloses a plug-in method, but notes that plug-ins by definition are known extensions of extensible programs. Neibauer shows the abilities often attached

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to highlighting tools, while Prinzing shows that formatting tools like Neibauer can be extensible in nature.

26. Regarding the arguments on pages 12-14, regarding claims 17-27; one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

### **Conclusion**

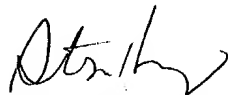
27. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D Campbell whose telephone number is (703)305-5764. The examiner can normally be reached on M-F (8:00 AM - 4:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703)308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
STEPHEN S. HONG  
PRIMARY EXAMINER

JDC  
August 4, 2004